



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT APPLICATION EXAMINING OPERATIONS

Appl. No.: 10/058,443
Applicant: Rebecca Klotzer
Filed: January 22, 2002
TC/AU: 1722
Examiner: Del Sole

Confirmation No.: 7553

Docket No.: DES:3568.0076
Customer No.: 00152

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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GROUP 1700

PETITION TO REVIVE PARENT PCT APPLICATION

1600 ODS Tower
601 S.W. Second Avenue
Portland, Oregon 97204-3157
Tel. 503.227.5631

September 17, 2003

Dear Sir:

Pursuant to 37 CFR 1.137(b), applicant hereby petitions the Commissioner for revival of parent application PCT/EP99/00286 for purposes of claiming priority of that PCT application only and shows as follows.

09/23/2003 AWONDAF1 00000049 10058443

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1. The instant application Serial No. 10/058,443 was filed as a divisional of U.S. Application Serial No. 09/642,390 filed August 18, 2000 and claims priority of PCT EP99/00286 filed January 19, 1999 and DE 198 03 362.1 filed January 29, 1998.

2. On September 12, 2003 a final rejection of the instant application was issued, holding that parent application PCT/EP99/00286 had become abandoned as to the United States on July 29, 2000 by virtue of U.S. Application Serial No. 09/642,390 having been filed 20 days past the 30 month deadline for entering the national phase as to the United States, as measured from the January 19, 1998 filing date of DE 198 03 362.1.

3. Because the Examiner held that PCT/EP99/00286 became abandoned on July 29, 2000, he reasoned that the effective filing date of the instant application was August 18, 2000 (the filing date of parent application Serial No. 09/642,390) and that DE 198 03 362.1, which was published on August 5, 1999 as DE 198 03 326A, therefore qualified as prior art under 35 USC 102(b), and so finally rejected all claims of the instant application under 35 USC 102(b) as being anticipated by DE 198 03 362A1.

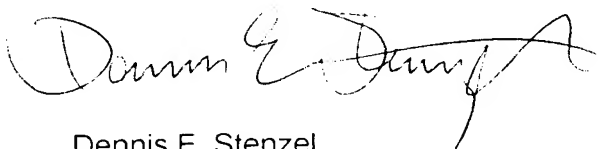
4. The proposed response constitutes entry into the national stage for the United States by filing a national entry application pursuant to 35 USC §371 and this proposed response was previously filed on August 18, 2000.

5. Both the 20-day delay in filing the national phase application from its due date of July 29, 2000 and the entire delay from that due date until the filing of this Petition was unintentional.

6. The \$1300 petition fee specified in 37 CFR 1.17(m) is enclosed herewith; the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 03-1550.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Dated this 17th day of September, 2003.



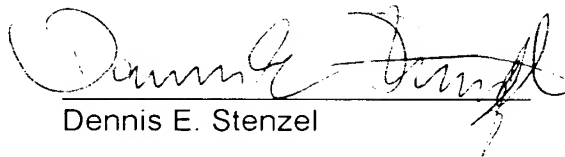
Dennis E. Stenzel
Reg. No. 28,763
Attorney for Applicants
Tel: (503) 227-5631

Application No. 10/058,443

PETITION TO REVIVE PARENT PCT APPLICATION dated September 17, 2003

CERTIFICATE OF MAILING

I hereby certify that this PETITION TO REVIVE PARENT PCT APPLICATION, together with a check in the amount of \$1300, Certificate of Mailing and Return Acknowledgment Postcard, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this 17th day of September, 2003.


Dennis E. Stenzel